2ND ANNUAL REPORT

The Provincial Court of Manitoba

2003-2004

Courts' Web Site:

The Manitoba Courts' web site is located at: www.manitobacourts.mb.ca

The Annual Report is available on the web site, in addition to various other information on the Courts. The web site will continue to evolve and be a key component of future public and media relations initiatives of the Courts in Manitoba.

The Honourable Chief Judge
Raymond E. Wyant

The Provincial Court of Manitoba

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The Honourable Gord Mackintosh
Minister of Justice and Attorney General
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Dear Mr. Mackintosh:

I am pleased to enclose the Provincial Court's second Annual Report for the fiscal year April 1, 2003 to March 31, 2004.

Sincerely,

Raymond E. Wyant
Chief Judge

RW/rsc

Encl.

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Provincial Court of Manitoba: Annual Report

Introductory Comments

Chief Judge Raymond E. Wyant

I am pleased to present to the Minister of Justice and the Legislative Assembly the Second Annual Report of the Chief Judge of the Provincial Court of Manitoba.

I believe that providing an Annual Report to the citizens of Manitoba is essential in order for our Court to be accountable to the public it serves.

Our mission is clear:

> *It is essential that a court, in keeping with the principles of justice, provide accessible, independent, impartial justice to the public without favor to anyone. The Provincial Court of Manitoba is dedicated to the provision of service to the public through the effective management of available resources and to the provision of justice to our citizens with integrity, ethical conduct, and within the Rule of Law.*

Former Chief Judge Kevin S. Burke of the Hennepin County District Court of Minneapolis recently reminded judges of our Provincial Court that an effective and relevant court must be "as good as its promise." And, he said further,

> "A court or a judiciary that is as good as its promise is known not just for speed and efficiency...but also for other less quantifiable aspects of justice. Things like fairness and respect, attention to human equality, focus on careful listening, and a demand that people leave our courts understanding their orders. Courts cannot be satisfied with being quick. Nor can we be satisfied with being clever. We must strive to be fully just to every person who leaves the courthouse."

Our goal is to be a court and a judiciary as good as that promise.

There is considerable public comment about the justice system. Such comment, to the extent it is constructive, is a healthy and necessary part of a vibrant and free democratic society. We do not believe for a moment that citizens will always be satisfied with decisions of the court. However, we also believe that if citizens know what it is that the court does and why and what it strives to achieve, this more informed public will have respect and trust for this very fundamental part of our society.

With this in mind, the Court has, over the past year, embarked on initiatives that we hope will improve the delivery of justice to Manitobans.

In my first Annual Report, I advised that the Court was undertaking an ambitious review of the way that cases are managed from charge to plea, called the Domestic Violence Front End Project. The project is designed to ensure that once a matter is before a judge, a meaningful act will occur (as opposed to endless remands and delay), and strict timelines are to be followed by Crown and defence to move matters more quickly through the system. This project was developed in cooperation with the Crown, defence counsel, Courts Administration and the Winnipeg Police Service.

The first phase of the project, dealing with custody matters, began on December 1, 2003. The second phase of the project began on March 1, 2004 with all other matters where the accused has been released from custody. The project relies on three pre-trial coordinators who ensure that specific administrative matters are addressed within agreed upon timelines, and that an accused who is held in custody is only transported to appear in court when it is necessary. This has allowed judges to deal with meaningful events such as contested applications, trials, and guilty pleas.

While the project is still developing and fine-tuning continues, the results thus far have shown reduced costs in transporting of accused persons in custody, reduction in staff overtime, and more efficient use of court time. We are continuing to monitor a number of performance indicators, including those already mentioned.

Another key area that we are monitoring is pre-trial delay. This has been a significant concern of the Provincial Court and one of the motivating factors towards the implementation of the Front End Project. We will, over the next year, monitor this closely because it is clear to us that the ultimate success of this project is hinged in large part on our ability to reduce pre-trial delay. Early indications are that trial delay has been significantly reduced by this project.

Looking forward, we will be embarking on similar projects in other areas such as non-domestic adult matters and youth matters. In those cases, individuals from the defence bar, the Crown, police, and other agencies will all be included in review committees to determine the most effective way of streamlining the delivery of cases in the Front End. It is our belief that the judiciary must not only be participants, but must be the leaders in court reform initiatives.

As in any organization, there are a host of initiatives that are on-going and in various stages of development or investigation. Some of these have received positive public attention, such as the move by the Provincial Court to use "plain language" in its court orders.

In addition, members of our court are active in initiatives related to fetal alcohol syndrome and drug addiction and how persons afflicted with these challenges can be managed by specialized problem-solving courts.

The Provincial Court is participating in an exciting initiative that allows for intensive risk management of certain youth who suffer from fetal alcohol syndrome and for whom traditional methods of treatment and punishment have been ineffective.

Similarly, drug courts that have been established in other provinces, such as Ontario and British Columbia, have been very successful in monitoring the risk of people in the community who are addicted to drugs who commit offences for the purpose of feeding their habit. In cooperation with Federal and Provincial authorities, the Provincial Court is hoping to establish a "drug court" in Manitoba which would allow for the intensive supervision, monitoring, and risk-management of some drug-addicted offenders.

Initiatives For Aboriginal Citizens

The Aboriginal Justice Inquiry Report identified the challenges the Provincial Court faces in holding circuit court in aboriginal communities. In addition to the remote locations of the many communities and the often poor flying conditions during the winter, the Inquiry highlighted the need for the Provincial Court to develop a greater understanding of aboriginal culture, language and beliefs.

The Provincial Court has worked in earnest with many communities to make court appearances more relevant to aboriginal people. Several examples of this exist in Manitoba today. The First Nations Justice Strategy Initiative of the Manitoba Keewatinowi Okimakanak has worked closely with the court in 10 First Nations communities. The Provincial Court has welcomed culturally important ceremonies and traditions as part of the court setting. Each of the 10 communities sets up their own unique liaison with the court, and different ceremonies include smudging, opening prayers by elders, use of the eagle feather, participation by elder panels and community justice committees. The elder panels often give recommendations on the sentencing of offenders and follow-up to ensure community-based court dispositions are completed.

As part of the First Nations Justice Strategy, in seven northern communities, the aboriginal magistrate's court alternates sittings with the Provincial Court. The magistrate is Cree-speaking and deals with non-incarceration offences with the full input of the community. In addition to being culturally appropriate, the magistrate's court gives the Provincial Court judges more time to deal with trials and serious sentencing matters.

There are a number of other aboriginal communities outside of the First Nations Justice Strategy that have the opportunity for input to Provincial Court sittings. Waywayseecappo has a long-standing relationship with the court and provides input through their Community Justice Committee. The St. Theresa Point Community Justice Program has become, in the last year, a participant of the Provincial Court and provides recommendations on community-based alternatives, follow-up supervision and updates recording the success or failure of their efforts.

We will continue to work with aboriginal communities in developing culturally-sensitive interactions and to ensure they have the opportunity to meaningfully participate in Provincial Court circuits.

In addition, it is impossible to talk about aboriginal communities without commenting on the conditions that many of our First Nations people live under. Provincial Court judges have the opportunity to visit many of our First Nations. Tragic conditions of poverty, sub-standard housing and lack of appropriate resources contribute to disintegration of the fabric of many of these communities and result in many people being in conflict with the law. Provincial Court judges and court parties witness first hand what lack of appropriate support can do and implore governments to find solutions to some of these very significant issues. In Shamattawa, for example, in the past year the Provincial Court refused to sit as a result of the inability to find an appropriate and safe place to hold court hearings. I am pleased that that problem has now been rectified, but the fact remains that many people in that community and others have to deal daily with even more serious deprivations.

Youth Criminal Justice Act

The *Youth Criminal Justice Act* was enacted by Parliament in 2003, replacing the previous *Young Offenders Act*.

The impact on all aspects of the justice system of change in the legislation that governs the criminal activities and wrongdoings of young persons requires a dedicated effort on the part of all, including judges, to understand and interpret the legislation and to apply it appropriately. Part of the significant change in the Y.C.J.A. deals with use of community input into both bail and sentencing matters. These "conferences" can allow for a more meaningful and informed disposition of a young person's matter, although they require dedication and energy on the part of all those who participate. Provincial Court judges have partnered with many other agencies to smooth the transition and the implementation of the Y.C.J.A. As with all new legislation, however, this change to the law has been significant and judges

are called upon on a daily basis to interpret and to chart the new direction in this legislation. It has been both an exciting and challenging time.

The Year and the Years Ahead

The Provincial Court wishes to acknowledge, with thanks, the excellent working relationship it has with the Minister of Justice and his office. While there may not be unanimity on each and every subject, the Provincial Court acknowledges that discussions with Ministry representatives are open, honest, and frank. The court specifically wishes to acknowledge and thank the Government for its efforts in upgrading computer technology for the Court during the past year; continuing to support the implementation of the Criminal Court's Automated Information Network (CCAIN); recommending the approval of the independent tribunal's recommendations on judicial compensation; and for the positive and healthy atmosphere of public debate.

Notwithstanding all of that, of course, there still remain issues of concern to the Provincial Court. Some of these issues deal with initiatives that we believe would enhance the administration of justice and others deal with limitations in our ability to effectively meet our mission and our goal.

The most serious difficulty facing the Provincial Court is the issue of human resources. In my first Annual Report, I noted that many times judges from Winnipeg and Brandon are required to sit in The Pas, Thompson, and other northern communities to ensure that those courts can operate. In 2003, Winnipeg judges went to northern courts 65 days in addition to regular northern circuits out of Winnipeg on an additional 68 days. This continues to be a drain on our resources and I reiterate the position expressed in my inaugural report that an additional judge is needed for northern Manitoba in order for the court and the justice system to be effective and responsive to the needs of citizens in the north, most especially for Aboriginal people.

I also mentioned in my first report the fact that the Provincial Court of Manitoba is only one of three courts in the country that does not have a relief judge system available to it to ensure that cases can be conducted in a timely fashion, and I noted that the provision of a senior judge program would allow the court to be flexible and responsive in providing appropriate courts for all the citizens of this province in a more timely and effective fashion. We will continue to press this initiative with Government

This issue of judicial resources is significant. While we acknowledge with thanks the assistance from the Government in filling vacancies in a timely fashion, clearly the liberty of individuals and the constitutional right to trial within a reasonable time are fundamental principles of our justice system that can only be accomplished with adequate resources. The Provincial Court strives to make the most effective use of available resources. However, the fact remains that citizens are experiencing unacceptable delays not only in our criminal courts but in our ability to schedule L.E.R.A. hearings and Inquests in a timely fashion.

Our ability to provide timely justice to citizens and to initiate changes that would both serve to reduce backlogs and provide better and more effective service is predicated on appropriate Government support.

Furthermore, Government must give more consideration to the effect of new justice initiatives on the work of the court. New initiatives can put pressure on strained resources unless consideration is given to the effect of those initiatives on the work of the court.

As I indicated in my inaugural report, the volume of work within the Provincial Court is beyond its control. In other words the input of cases into the system happens independently of influence from the Provincial Court through the investigation of criminal activities and the charging policies of the police and the Crown Attorneys' Office.

The Government is recognizing the important role to society of prosecutions and the police by the infusion of resources to those institutions in order to deal with crime and criminal activity. However, with the allocation of those resources comes more work for other institutions in the criminal justice system. As more charges are laid and more cases prosecuted, the inevitable result will be more work for the court and for other Government and community institutions and organizations.

The Provincial Court looks forward to the coming year. There are many initiatives that are ongoing in the court and we are very excited about some of the very positive changes that we as a court believe that we can bring to the administration of justice in this province given adequate support.

Introduction

The Provincial Court of Manitoba is one of three courts in Manitoba. The other two courts are the Court of Queen's Bench and the Court of Appeal.

The Provincial Court was created on January 1, 1973 by *The Provincial Court Act* and has the jurisdiction or authority to make decisions in most criminal matters and some family law matters. In fact, almost all criminal cases in Manitoba begin – and most end -- in the Provincial Court. In addition to cases under the *Criminal Code*, the Provincial Court hears cases under a variety of other federal statutes such as the *Controlled Drugs and Substances Act,* and hears all provincial statute cases such as those under *The Highway Traffic Act.* It has the same jurisdiction as the Court of Queen's Bench (Family Division) for some family proceedings, and subsection 10(5) of *The Provincial Court Act* allows a judge of the court, with the permission of the Chief Judge, to act as a Master or Deputy Registrar of the Court of Queen's Bench. The court also presides over inquests pursuant to *The Fatality Inquiries Act* and hearings alleging police misconduct pursuant to *The Law Enforcement Review Act* and *The Provincial Police Act.*

Decisions of the Provincial Court that may be appealed to the Court of Queen's Bench are those on judicial interim release (bail) and summary conviction offences. All others may be appealed to the Court of Appeal.

Composition of the Court

Subsection 3(1) of *The Provincial Court Act* states:

"The Lieutenant Governor in Council may appoint such persons as he or she considers necessary as judges of the court...."

At the beginning of fiscal year 2003/04, there were 38 judges of the Provincial Court (see Appendix A). Twenty-eight judges worked in the Winnipeg Centre of the court. The other 10 judges worked in regional court centres: two in Thompson, two in The Pas, two in Dauphin, three in Brandon, and one in Portage la Prairie.

The Provincial Court of Manitoba was one of the first provincial courts in Canada to have a female Chief Judge. In 2003/2004, women made up 28 per cent of the court, one of whom is an Associate Chief Judge.

Appointments, retirements, etc.

When a decision is made that a judicial vacancy should be filled, the Minister of Justice advises the Chief Judge and a Judicial Nominating Committee is created. The committee is chaired by the Chief Judge and has representatives from the community, provincial court judges and lawyers. The committee advertises for applicants, reviews applications, interviews candidates, checks references and determines which qualified candidates will be recommended to the Minister. At the end of its review, a list of three to six recommended candidates is provided to the Minister who makes a recommendation to Cabinet (the Lieutenant Governor in Council), where the decision on appointment is made.

It is important that the face of the court reflects the people it serves.

In 2001, changes were made to *The Provincial Court Act* to require the nominating committee to include criteria respecting the diversity of Manitoba society in addition to the assessment of professional excellence, community awareness and personal suitability of candidates. The legislation also requires the government to recognize the importance of reflecting the diversity of Manitoba society in the composition of the nominating committee.

Judges stay in office during "good behaviour" and can only be removed if there has been a finding of misconduct by the Judicial Council. There are, however, seven year non-renewable terms for the offices of Chief Judge and Associate Chief Judge. At the end of their term, these judges will resume the duties of a regular judge without the administrative responsibilities associated with these positions. The terms apply only to judges appointed to those positions after July 2001.

In 2003/2004 there were the following changes to the court.

- On April 30, 2003, The Honourable Judge Fred Sandhu (Winnipeg Centre) was appointed to the court following the recommendation from the Judicial Nominating Committee established as a result of the retirement from office of The Honourable Judge Philip Ashdown (Winnipeg Centre) on December 31, 2001.

- On April 30, 2003, The Honourable Judge Timothy Preston (Winnipeg Centre) was appointed to the court following the recommendation from the Judicial Nominating Committee, as a result of the retirement from office of The Honourable Judge Winston Norton (Winnipeg Centre) on April 28, 2003.

- We note, with regret, as well the passing of former Provincial Court Judge, The Honourable Raymond Cramer in November, 2003.

Working Relationships

▮ *Relationship with Other Branches of Government: Judicial Independence*

The Provincial Court, like all courts in Canada, is independent of the executive and legislative branches of government.

To have an independent judiciary means that there are safeguards in place to allow judges to feel secure in making decisions that follow the law, particularly when the decision may not be popular with the general public or the government. These safeguards are designed to prevent a judge's decision from being influenced in ways other than through the proper court process. In the end, if a government wants to change decisions being made by judges, it can change the legislation but it cannot change the way judges interpret the legislation. Only the federal government can change the Criminal Code of Canada.

The safeguards that reflect the components of an independent judiciary as established in the common law (court judgments) are set out in the provisions of *The Provincial Court Act*.

1. Section 8.1 respecting the responsibility of the Chief Judge for the judicial functions of the court, including sittings of the court and judicial assignments and the supervision of matters that are assigned by law to the court (institutional independence).

2. Subsection 3.1(2) establishing an independent judicial nominating committee which recommends candidates for judicial appointment to the court, and Part IV which establishes an independent judicial complaint process that includes the process respecting the removal of a judge from office (security of tenure).

3. Subsection 11.1(1) establishing an independent judicial compensation committee to review and determine the salary and benefits to be paid to judges of the court (financial security).

Even though the judiciary is independent, that does not mean that the judicial branch cannot work cooperatively or jointly with the executive branch toward the best possible court service. To the contrary, the court works together with Courts Division, Corrections Division, Prosecutions Division, law enforcement agencies, and the defence bar to implement projects and initiatives designed to improve the court system in Manitoba. This work is carried out with understanding and respect for the independence of the judicial branch from the other branches of government.

In practical terms, the Courts Division of Manitoba Justice provides the necessary resources for the operation of the Provincial Court. Although it is accountable to the executive branch of government through the Minister of Justice and Attorney General, the day-to-day operation of the court and any judicial decisions made are not to be influenced or interfered with by the executive branch.

A good example of this co-operation is the increased use of technology in the courtroom. In addition to using video technology for bail hearings where the accused is being held at the Winnipeg Remand Centre, an accused housed at Headingley Correctional Institution can also appear by video in certain adult courts. This is of considerable assistance to Courts Division in helping to reduce expenditures for transporting prisoners.

Relationship with the Other Courts

The three levels of courts share space in courthouses and provincial buildings throughout the province, as well as human and financial resources. The Manitoba Courts Executive Board was created to provide a forum for the exchange of information, the identification of issues of mutual concern, and the discussion of options to resolve those issues. The board is composed of the Chief Justice of Manitoba, the Chief Justice of the Court of Queen's Bench, the Chief Judge of the Provincial Court, and the Deputy Minister of Justice, with the Assistant Deputy Minister of Courts Division as secretary. The establishment of the board recognizes that the judiciary and government are equally committed to the administration of justice and need to work closely together to make the justice system more effective, efficient, accessible to and better understood by members of the public.

Work of the Court

Making Judicial Decisions

In making decisions, judges must consider the law, which can be decisions from other courts and/or legislation including the *Canadian Charter of Rights and Freedoms*, and then apply the law to the evidence (information they have been given during a hearing). There are certain rules and tests to be used to make a decision. In child protection matters and family matters involving children the most important consideration is the best interests of the child. In criminal matters, an accused is presumed to be innocent until proven guilty and must be proven guilty beyond a reasonable doubt to be convicted. There are also rules and guidelines when a judge is sentencing an accused. Judges are restricted by the Criminal Code of Canada, other legislation and other court decisions when determining an appropriate sentence for an accused.

Criminal Matters

Most of the work of the court is presiding over criminal matters. The Provincial Court hears applications for judicial interim release (bail), presides over intake courts (first appearance), screening courts (resolution), preliminary inquiries (to determine whether there is enough evidence to order an accused to stand trial in The Court of Queen's Bench), and various trial courts. The Provincial Court hears most youth criminal cases in Manitoba pursuant to the *Youth Criminal Justice Act.*

Cases are divided by subject matter. Because different laws apply depending on the age of an accused, adult and youth matters are kept separate. The adult offences are divided into domestic violence and non-domestic violence

cases. There is also a division between those offences that are prosecuted by the federal government (offences under federal legislation, e.g. drug offences and income tax offences) and those prosecuted by the provincial government (offences under the Criminal Code and provincial legislation, e.g. highway traffic offences and liquor offences).

As of March 31, 2003 there were 58,946 outstanding adult charges and 8,583 outstanding youth charges in the system. In 2003/2004, there were 81,847 new charges against adults (includes charges against businesses) and 16,025 new charges against youths received by the court. Overall, in 2003/2004, 52% or 73,830 of the 140,793 adult charges in the system were disposed of and 65% or 16,014 of the 24,597 youth charges in the system were disposed of.

Depending on the type of offence, both the Crown and the accused have choices about how the case will proceed, and whether a preliminary inquiry will be required. At screening court, Crown and defence discuss the case and determine if the accused will plead guilty or not guilty. If an accused pleads not guilty, then a trial date will be set. If an accused pleads guilty, sentencing can take place at that time or a date for sentencing will be set.

Bail Applications

I hope that, as much as being a reporting vehicle, this Annual Report can provide some insight into some of the work that is done by judges. For this report, I wanted to make a few comments on bail applications.

There are few things as difficult, as challenging, and as problematic for a judge as applications for judicial interim release (bail applications). In addition, there is often nothing that gives rise to concern and criticism in the public and in the press more often than decisions that are made, in some cases, by judges on applications for bail.

The Criminal Code in s. 515, provides, in general, that when a person is alleged to have committed a criminal offence, the presumption is that they are entitled to their release unless the Crown attorney shows a reason (shows cause) why that should not happen and why they should be detained. This presumption of release is consistent with the presumption of innocence, which is a cornerstone of our judicial system.

When a person is arrested, there exists with the arresting authority (the police) a discretion in many cases to release the individual, with or without conditions, without the necessity of being brought into formal custody and being dealt with by a judge. If the police, for whatever reason, feel that they are not comfortable with releasing an individual with or without conditions, then they can detain the individual in order to appear before a judge.

In reviewing an application for release, judges must look at a variety of factors. The presumption, in most cases, is that the person is entitled to release unless the judge is satisfied that the person's detention is necessary:

(a) to ensure that they attend in court;

(b) unless the judge is of the view that there is a substantial likelihood that the accused, if released, would commit a criminal offence; or

(c) where the apparent strength of the prosecution's case, the seriousness of the offence, and the potential for a lengthy term of imprisonment causes the Court to believe that the person's detention is required.

The Court must be mindful of the fact that the person before them is presumed innocent. Notwithstanding the fact that they are alleged to have committed offences, they have not yet – and may not ever – be convicted. These charges are only allegations. The test for the police to charge is one of "reasonable and probable grounds." But, that test is much lower than the Court test of "proof beyond a reasonable doubt."

So, the Court must look in each and every case at the facts presented. Certainly the strength of the Crown's case is one factor, as is the potential for defences available to the accused. The prior record, or lack thereof, are also significant factors, and the plan that is presented to the Court to reduce the risk that an offender might pose to the community is another factor to be considered. In the event that either the accused or the Crown is dissatisfied with the ruling, then a review (appeal) can be heard in the Court of Queen's Bench.

Bail applications involve judgment: judgments that are based on information, experience, and past behaviour. Sometimes, future events seem to make a decision to release a questionable one. However, that does not mean that the decision was incorrect to begin with. In all matters of human affairs, hindsight is, of course, always 20/20, and there is never, and can never be, an absolute guarantee or prediction of an individual's future behaviour.

Presently almost 60% of the people in jails in Manitoba are on remand. In other words, they are people who have not been granted bail and who are awaiting their trial, and of course, are presumed to be innocent. That is a trend that it is mirrored in almost every jurisdiction across Canada.

The transportation of prisoners on remand is costly, and there are always safety and security issues dealing with prisoner transport. In Manitoba, we have attempted to alleviate the pressures associated with prisoner transport by the development of video appearances, both from the Winnipeg Remand Centre and from Headingley Correctional Institution, and by our previously mentioned Front End Project, which requires the transportation of prisoners only where a meaningful act is going to occur.

Family Matters

In certain parts of the province for family matters where a provincial statute is used, the Provincial Court shares jurisdiction with the Court of Queen's Bench. This involves child protection matters under *The Child and Family Services Act* and custody, access and support matters under *The Family Maintenance Act.*

Inquests

Under *The Fatality Inquiries Act*, where the Chief Medical Examiner determines that an inquest ought to be held, it is presided over by a judge of the Provincial Court. At the end of inquest hearings, the inquest judge sends a written report to the Minister of Justice and the Chief Medical Examiner. The report is to include any recommendations by the inquest judge concerning the laws of the province, programs, policies or practices of government or relevant public agencies or institutions which, in the opinion of the inquest judge, would reduce the likelihood of deaths in similar circumstances to those which resulted in the death that is the subject of the inquest. The inquest judge is not to express an opinion or make a determination about who is or could be blamed in a way that could reasonably identify a person at fault.

Prior to August 1, 2002, there was no deadline for an inquest judge to complete the inquest report. On August 1, 2002 amendments to *The Fatality Inquiries Act* were passed, which included a six-month timeframe following the end of an inquest for the completion of the report by the inquest judge. An extension of up to three months may be given by the Chief Judge. The Chief Judge may give an extension of time longer than three months if it is determined that the inquest involves highly complex matters. The Chief Judge may also relieve or reduce the other duties of the inquest judge until such time as the report is completed. Notice of the extension is to be given

by the inquest judge to all persons granted standing at the inquest and also the Office of the Chief Medical Examiner.

If, at the end of the extended time given to complete the report the inquest judge has failed to do so, the Chief Judge is to refer the matter to the Judicial Inquiry Board to be dealt with as a complaint under the judicial complaints provisions of *The Provincial Court Act*, unless the Chief Judge determines that there were extraordinary circumstances involved. If extraordinary circumstances are found by the Chief Judge, the Chief Judge may grant a further extension of time within which the inquest judge is to complete the report. The inquest judge is responsible for notifying the parties given standing at the inquest and the Office of the Chief Medical Examiner of this further extension of time within which to complete the report. On July 1, 2003, these amendments came into effect. The amendments, however, do not apply to those inquests where hearings were completed before July 1, 2003.

In fiscal year 2003/04, there were eight inquest reports issued by the Provincial Court.

NAME OF DECEASED	DATE OF REPORT RELEASE	TIME TO COMPLETE REPORT
1. Viola Contois	**April 2, 2003**	**2 months and 4 days**
2. Cory Moar	**May 14, 2003**	**.5 months**
3. Joshua Harder	**July 22, 2003**	**6 days**
4. Abraham Hiebert	**August 1, 2003**	**38 months and 7 days**
5. Clayton Scott	**February 2, 2004**	**2 months**
6. Lorna Joyce Ballantyne, Conway Wilfred Ballantyne, Baptiste Aaron Ballantyne	**March 10, 2004**	**5 months**
7. Nadine Beaulieu	**March 12, 2004**	**12 months and 5 days**
8. Baby Collin Dorber Squire	**March 29, 2004**	**45 months**

There were also three inquest reports pending or not yet completed. There were 11 inquest hearings that had not yet been scheduled for hearing or the hearing had not yet been completed and, of those, four were inquests called in 2003/04.

The process for the scheduling of an inquest was changed in September 2002. Prior to that time, the Chief Medical Examiner (CME) would write to Prosecutions advising that an inquest would be held, a Crown attorney would be assigned, the dates would be set, and the Chief Judge would then be asked to assign a judge. This limited the judges who could be assigned to any given inquest and did not allow the court to appropriately co-ordinate judicial writing days. The current process is that the CME writes to the Chief Judge advising that an inquest is to be held and the Chief Judge assigns a judge. The judge then contacts the Crown attorney who co-ordinates inquests, arrangements are made for standing hearings (hearings to determine who can examine and cross-examine witnesses at the inquest), and inquest dates are set. In this way, the hearing is set based on the availability of the judge in consultation with counsel and an appropriate amount of time can be set aside for the judge to write the report after the completion of the inquest.

Law Enforcement Review Act

The Law Enforcement Review Act sets out the process to be followed when there is a complaint about the conduct of members of policing agencies in Manitoba. There are two processes under the act where the Provincial Court is required to be involved: one is called a 'review' and the other is called a 'hearing'.

If the Commissioner of the Law Enforcement Review Agency decides not to take further action with respect to a complaint, the complainant may apply to the Commissioner to have the decision reviewed by a judge of the Provincial Court. In 2003/04, there were 16 reviews conducted by judges of the Provincial Court. Each review generally takes a half day.

Hearings may be held before the Provincial Court:

(1) where the Commissioner recommends a penalty for a disciplinary default and the complainant disagrees with that recommended penalty, the Commissioner is to refer the complaint to a Provincial Court judge to determine the penalty to be imposed; and

(2) where the Commissioner refers the complaint to a Provincial Court judge for the judge to decide whether the complaint should result in disciplinary action against an officer .

In 2003/04, there were four hearings held by the Provincial Court.

Scheduling, Court Utilization, and Availability of Trial Dates

The Provincial Court has the responsibility of serving 64 communities as designated by the Minister of Justice. In Winnipeg there are 25 available Provincial Court courtrooms, including courtrooms at the Manitoba Youth Centre and St. Boniface. In addition, judges from Winnipeg travel to 25 communities to conduct court on a weekly, monthly or bi-monthly basis. The other 38 locations are served by judges who preside in regional court centres.

Other than statutory holidays and weekends, the court sits and is "open for business" year round. It is recognized, however, that there are peak holiday periods where many people want to take vacation. In recognition of the need to ensure coverage for administrative, prosecutorial and security functions, the court has formalized the setting of reduced rotas (schedules) for three periods during the year (eight weeks starting the Monday closest to July 1, two weeks at Christmas and the month of March).

At all other times during the year, there are four circuit courts, 11 trial courts, and nine docket courts scheduled daily from Winnipeg.

Court Utilization

Information to be included in the annual report

11.2(2) The annual report must contain the following information:

...

(e) the effective utilization of the court, including the average daily use of courtrooms by the Provincial Court in Winnipeg and in locations outside Winnipeg;

The Provincial Court Act, C.C.S.M. c. C275

For court utilization statistics to be meaningful, it is important to understand what a typical court day is like. Court usually sits from 10 a.m. to noon and 2 p.m. to 4 p.m. In addition to these regularly scheduled trial and docket courts, judges conduct matters such as sentencing hearings, giving decisions and hearing breach of conditional sentences at 9 a.m. and 1 p.m. These are generally matters where a specific judge is seized (they are the judge that must continue on the case).

Each week in Winnipeg, there is one judge assigned to be a duty judge and another judge assigned to be back-up duty judge. These judges conduct pre-trial conferences and deal with matters that do not require an appearance in court but do require a judge's decision, such as search warrants. The duty judge and back-up duty judge are also available to sit in court.

Judges also circuit to a variety of locations throughout the province. In Winnipeg, four judges travel to circuit court locations daily. Depending on the circuit, it may take longer to travel to and from court than to preside in court. The shortest round trip travel time to a Winnipeg circuit location is .9 of an hour; the longest is 6.5 hours.

Judges are also expected to give researched and reasoned decisions. As a result, in addition to presiding in court, they need to spend time writing decisions, reading reports and case law for court, conducting research to keep up with recent changes in the law, and attending educational seminars.

The Crown determines the number of matters that can be set down in any individual courtroom and is expected to set the number of matters that will make up a full day in court. There is an expectation that a judge will be assigned to each courtroom. Often there are not enough judges to cover all of the court sittings scheduled for a day. However, there is a recognition that often scheduled trials do not proceed. (On average, 40 to 50 per cent do not proceed.) Trials can cancel at the last minute if a witness does not show up, if defence counsel has lost contact with their client, or if the accused is going to plead guilty.

To try to counteract these last minute cancellations, the court books the same trial judge for two courtrooms knowing that there is a chance that if everything does proceed there may be a delay in the start of a trial or the date may need to be changed. While this is a risk, it most often results in all courts being covered and all cases being heard. With the number of factors outside the control of the court that affect what happens in court, the balance between scheduling judges so that courts are effectively utilized and having cases proceed through the system in a timely way is an extremely difficult one to maintain.

Court Statistics

In reviewing the statistics on the following pages, IT IS IMPORTANT TO NOTE THE FOLLOWING:

1) ½ day of a court sitting is 2 hours.

2) On occasions when a booked courtroom was not used, a judge may not have been available in any event.

3) It is not uncommon for a judge to move to more than one courtroom in a day. If cases fold early, the judge is often assigned to another courtroom.

4) These statistics DO NOT reflect sittings from 9:00 to 10:00 a.m. and 1:00 to 2:00 p.m., which occur frequently each week.

5) The docket courtrooms, bail courts, domestic and non-domestic screening courts are almost always in use all day and can often exceed the usual sitting hours. This is due to the volume of cases in those courts.

6) The trial courts may often reflect less than full usage. The Crown Attorneys' Office controls the number of cases set for those courtrooms. In recognition of the fact that many cases do not proceed at the last minute, those courtrooms are often "overbooked" with trials. Even with this over-booking, courtrooms may still be used less than 100%. The collapse of cases on the day of trial cannot be controlled by the judge. The solution may be to book even more trials for each courtroom. The difficulty is that the Crown must prepare each case as if it were proceeding. It becomes increasingly difficult for a Crown attorney to prepare more cases. Additionally, on some days cases do not fold as anticipated, and from time to time, not all cases can proceed. Although some courtrooms may be booked but not used or not used fully, the judge may often be required in other courtrooms. An under-utilized trial court does not mean a judge or a Crown attorney is not in court or working elsewhere.

The Domestic Violence Front End Project, which began on December 1, 2003, has resulted in changes in the utilization and/or function of some courts. These changes are noted in the introduction to the statistics contained in the appendices.

Winnipeg Trial Courts

In Winnipeg, all trials that have been set for the day are on a list in an assignment court. There are four assignment courts: one each for adult domestic violence matters, adult non-domestic violence matters, youth matters, and federally prosecuted matters. All trials scheduled for that day are scheduled into one assignment court. The assignment court judge reviews all of the matters with counsel and determines which are going to proceed to trial, whether there will be a guilty plea and a sentencing will take place or whether an adjournment is requested. The judge decides whether or not it is necessary to open another courtroom. All procedural matters (warrants, remands) are handled in the assignment court, as well as some sentencing hearings and trials. If only the assignment court is required, the judge scheduled for the other court will often be moved into another courtroom. On many occasions, there may not have been a judge available for the other courtroom in any event.

Domestic Violence Trials

Two courtrooms are designated daily to deal with domestic violence trials: an assignment court (403) plus a trial court (412). Below is a representative sample of usage. (Please refer to appendix 'B' for the full fiscal year's statistics.)

JANUARY 2004

Courtroom	Available ½ days	½ days used	Average hours per ½ day
403	42	24	1.7
412	22	12	1.2

FEBRUARY 2004

Courtroom	Available ½ days	½ days used	Average hours per ½ day
403	40	23	1.5
412	10	6	1.2

MARCH 2004

Courtroom	Available ½ days	½ days used	Average hours per ½ day
403	46	26	1.5
412	18	12	1.2

Adult Non-Domestic Violence Trials

Four courtrooms are designated as adult non-domestic violence trial courtrooms: 404 is the assignment court, and 405, 406 and 407 are the trial courtrooms. Below is a representative sample of usage. (Please refer to appendix 'C' for the full fiscal year's statistics.)

JANUARY 2004

Courtroom	Available ½ days	½ days used	Average hours per ½ day
404	42	23	1.3
405	42	15	1.6
406	42	24	1.7
407	42	14	1.2

FEBRUARY 2004

Courtroom	Available ½ days	½ days used	Average hours per ½ day
404	40	23	1.5
405	40	17	1.1
406	40	23	2.1
407	40	14	1.7

MARCH 2004

Courtroom	Available ½ days	½ days used	Average hours per ½ day
404	46	25	1.4
405	46	21	1.8
406	46	32	2.0
407	46	18	1.8

Youth Trials

Two courtrooms are designated daily to deal with youth trials: an assignment court (306), plus a trial court (307). Below is a representative sample of usage. (Please refer to appendix 'D' for the full fiscal year's statistics.)

JANUARY 2004

Courtroom	Available ½ days	½ days used	Average hours per ½ day
306	42	28	1.7
307	16	12	2.1

FEBRUARY 2004

Courtroom	Available ½ days	½ days used	Average hours per ½ day
306	40	19	1.6
307	22	22	1.9

MARCH 2004

Courtroom	Available ½ days	½ days used	Average hours per ½ day
306	46	24	1.1
307	16	13	1.6

Federal Trials

Two courtrooms are designated daily to deal with trials for federally prosecuted matters: an assignment court (409), plus a trial court (411). Below is a representative sample of usage. (Please refer to appendix 'E' for the full fiscal year's statistics.)

JANUARY 2004

Courtroom	Available ½ days	½ days used	Average hours per ½ day
409	42	23	2.1
411	10	8	1.6

FEBRUARY 2004

Courtroom	Available ½ days	½ days used	Average hours per ½ day
409	40	23	1.9
411	20	10	1.2

MARCH 2004

Courtroom	Available ½ days	½ days used	Average hours per ½ day
409	46	25	1.9
411	16	10	2.1

Winnipeg Docket Courts

Youth Bail, Disposition and Screening Dockets

At the Manitoba Youth Centre, youth bail matters are heard five half days a week, and disposition matters are heard three half days a week. In addition, there are four half days a week of youth screening courts (303) including a federal docket (301). Below is a representative sample of usage. (Please refer to appendix 'F' for the full fiscal year's statistics.)

JANUARY 2004

Courtroom	Available ½ days	½ days used	Average hours per ½ day
MYC	34	34	1.6
301/303	20	16	1.6

FEBRUARY 2004

Courtroom	Available ½ days	½ days used	Average hours per ½ day
MYC	32	32	1.6
301/303	20	19	1.7

MARCH 2004

Courtroom	Available ½ days	½ days used	Average hours per ½ day
MYC	37	37	1.4
301/303	24	21	1.7

Adult Bail Courts

In Winnipeg, there are primarily two bail courts: 304 for domestic violence matters that sits 10 half days per week and 305 for non-domestic violence matters that sits six half days per week. Since December 1, 2003 two of the 10 half days in courtroom 304 may also include dispositions of in-custody domestic violence matters. Below is a representative sample of usage. (Please refer to appendix 'G' for the full fiscal year's statistics.)

JANUARY 2004

Courtroom	Available ½ days	½ days used	Average hours per ½ day
304	42	26	2.4
305	33	25	2.3

FEBRUARY 2004

Courtroom	Available ½ days	½ days used	Average hours per ½ day
304	40	25	2.3
305	32	26	2.5

MARCH 2004

Courtroom	Available ½ days	½ days used	Average hours per ½ day
304	46	27	2.5
305	38	33	2.4

Adult Screening and Disposition Dockets

Other than specialized courts such as bylaw, private prosecutions, provincial statute and gun court, the remaining dockets are screening courts and disposition courts for federal, youth, adult domestic violence, and adult non-domestic violence matters.

Domestic Violence Screening and Disposition Courts

There are seven half days per week that are for the screening and disposition of domestic violence matters. From April 1, 2003 to December 1, 2003 these courts were 302, 303 and 402. From December 1, 2003 to March 31, 2004 these courts were 401 and 402. Below is a representative sample of usage. (Please refer to appendix 'H' for the full fiscal year's statistics.)

JANUARY 2004

Courtroom	Available ½ days	½ days used	Average hours per ½ day
401	8	8	1.8
402	20	20	2.4

FEBRUARY 2004

Courtroom	Available ½ days	½ days used	Average hours per ½ day
401	8	8	2.2
402	20	5	2.5

MARCH 2004

Courtroom	Available ½ days	½ days used	Average hours per ½ day
401	9	9	1.9
402	23	19	1.6

Non-Domestic Violence Screening and Disposition Courts

There are disposition courts four half days per week until Febraury 29, 2004 when these courts are increased to 6 half days per week. There are 9 half days of screening courts from April 1, 2003 to December 1, 2003 and 10 half days per week of screening courts from December 1, 2003 to March 31, 2004. Below is a representative sample of usage. (Please refer to appendix 'I' for the full fiscal year's statistics.)

JANUARY 2004

Courtroom	Available ½ days	½ days used	Average hours per ½ day
302	28	27	2.4
305	9	7	1.8
401	20	20	2.2

FEBRUARY 2004

Courtroom	Available ½ days	½ days used	Average hours per ½ day
302	28	27	2.4
305	8	3	1.3
401	20	19	2.3

MARCH 2004

Courtroom	Available ½ days	½ days used	Average hours per ½ day
302	34	28	2.3
305	9	8	2.2
401	24	20	2.5

Regional Courts and Circuit Courts

As much as possible, the court goes to the people it serves, travelling by car, plane and/or boat and holding court in such facilities as community halls, band offices and schools. (See Appendix "J" for a listing of all court sitting locations.) Presiding over a formal court process in these informal and sometimes sparse court settings is both challenging and rewarding.

The court utilization statistics for regional courts and circuit court centres are set out in Appendices K-P as follows:

- Appendix "K" contains Brandon and all Brandon circuit courts
- Appendix "L" contains Dauphin and all Dauphin circuit courts
- Appendix "M" contains Portage la Prairie and all Portage la Prairie circuit courts
- Appendix "N" contains The Pas and all The Pas circuit courts
- Appendix "O" contains Thompson and all Thompson circuit courts
- Appendix "P" contains all Winnipeg circuit courts

Because of the distances and the number of matters involved, sittings in regional court offices and circuit court locations are measured in days as opposed to half days and the courts sit less frequently than in Winnipeg. The travel times are based on driving 80 kilometres in an hour to try to take into account weather and road conditions. Generally, the larger the centre, the more often the court sits.

In addition, while there is significant specialization in Winnipeg because of the volume of matters, in regional court and circuit court locations some sittings are combined youth, adult and sometimes family matters, while in other centres there are separate sittings for youth, adult and family matters.

Availability of Trial Dates

There can be a number of remands before an accused goes to trial or is sentenced. It can take some cases many months to get through the system.

Some reasons for the delay are:

- the Crown has not received all the information it needs from police;
- the Crown has not provided all the required information to defence counsel;
- the accused does not have a lawyer and wants to get one;
- Crown and defence counsel cannot co-ordinate their schedules;
- Crown and defence counsel are waiting for a report; and/or
- there is no available courtroom for a period of time due to the number of cases in the system.

The availability of trial dates regularly fluctuates due to several factors, some of which are beyond the control of the Court. In addition to those noted above, when law enforcement agencies more vigorously enforce certain legislation and when legislation changes, an increase in delay occurs generally because of a greater volume of cases in that area.

In regional court locations (excluding the north), the availability of trial dates varies on average from between one to four months. Across the north, the availability of trial dates varies from two to nine months. Some circuit locations sit weekly, while some remote northern locations sit once every two or three months. If a court is "weathered out" causing court to be cancelled in one of these remote locations, the delay is increased until such time as a special sitting can be scheduled.

The availability of trial dates in Winnipeg continues to be a concern. As trial dates are cancelled, an effort is made to use the time, making earlier dates available. As noted earlier, if counsel is not available on the dates offered, that can result in further delay. The time frames set out below are the first available court dates for a trial of one or two days.

TYPE OF CASE	FEBRUARY 2004	MARCH 2003
Domestic Violence		
-in custody	6 months	4 months
-out of custody	12 months	12 months
-child abuse	6 months	5 months
Youth		
-in custody	1 month	1-2 months
-out of custody	1 month	2 months
Adult Trials (other than D.V.)		
-in custody	7 months	5-6 months
-out of custody	7 months	9-10 months
Impaired Driving	3 months	8 months
Summary Conviction	5 months	9 months

The court has taken steps to achieve better court utilization and reduction in delay. The first was the creation of a daily assignment court for all trials set in Winnipeg and this has worked well.

The second step was, in co-operation with Crown, defence, and police, the development of a system to significantly reduce the number of remands for domestic violence matters in Winnipeg. The Domestic Violence Front End Project is designed to ensure that once a matter is before a judge, a meaningful event will occur (not just being put over to another date) and

strict timelines will be followed by Crown and defence to move matters more quickly through the system.

The third step will be the automation of the Provincial Court scheduling system. Historically, the court advises the Crown of the number of courts that are open and the crown then determines the number of matters that can be set down in any individual courtroom. The availability of trial dates is within the control of Crown attorneys. The rationale has been that the crown knows the strength of its case, the number of witnesses, and how long a trial is likely to take. Unfortunately, because each unit of the Crown's office has a separate set of dates and the court scheduling system is not automated, there is not an ability to ensure that the earliest dates possible are used for the highest priority cases. With the creation of an automated scheduling system, the court will be able to track the amount of time and number of matters booked to ensure that the earliest possible date can be provided.

Administration of the Court

Like any group of people who work together with a common purpose, the work of the court must be co-ordinated. Judges require administrative support, need to be scheduled for court, vacation and educational leave and need to be involved in the operation of the court. In administering the court, the interests of the public and the better administration of justice must be balanced with the needs and interests of the judges of the court. The Chief Judge provides leadership within the court, generally represents the judges of the court and advocates on behalf of the court.

> ***The Provincial Court Act*** **sets out the duties of the Chief Judge as:**
>
> **s. 8.1 The Chief Judge**
>
> **(a) has general supervisory powers in respect of judges, magistrates, justices of the peace and other staff in matters that are assigned by law to the court; and**
>
> **(b) is responsible for the judicial functions of the court, including direction over sittings of the court and the assignment of judicial duties.**

There are three Associate Chief Judges who assist the Chief Judge in managing the business of the court. Each Associate Chief Judge has an area of primary responsibility, e.g. youth, regional courts, and justices of the peace. Similar to many law firms, the court has a managing committee consisting of the Chief Judge, the Associate Chief Judges and several other members of the judiciary. In addition, there are a number of internal and external committees of the court to facilitate its operation and its interaction with the justice system.

Judicial Compensation

The salaries and benefits received by judges are set by the Legislature on the recommendation of an independent judicial compensation committee. Every three years a judicial compensation committee gathers information from the other provinces and territories and hears submissions from the judges and the government about the appropriate salary and benefits for judges. After its review, the committee makes recommendations to the Minister of Justice who provides them to the Legislature where it is considered and accepted or rejected in whole or in part. If the recommendations for salary are equal to the average of the salaries in Saskatchewan, New Brunswick and Nova Scotia then the Legislature must accept that recommendation. The Legislature must have very good reasons to reject the recommendations of a judicial compensation committee.

Contingent Liability

Information to be included in annual report

11.2(2) The annual report must contain the following information:

...

(d) the contingent liability of the government for public funds that results from unused vacation leave or retirement allowances of the judges;

The Provincial Court Act, C.C.S.M. c. C275

As of March 31, 2004, the contingent liability of the government for unused retirement allowances and vacation leave was $1,455,522.12 ($761,014.44 retirements and $694,507.68 vacation leave).

Conclusion

Chief Judge Raymond Wyant

The year 2003-2004 has been a time of challenge and change. As always, the strength of our court lies in its people. Whether they work as administrative assistants or court clerks or correctional officers or magistrates or judges, or in any other capacity, we, in Manitoba, are blessed with tireless, energetic and dedicated public servants, and I thank them all for their work and their support.

It is important to note that many who work in the justice system also volunteer countless other hours to serve the community in a variety of capacities. For their part, judges frequently attend speaking engagements and are involved in community organizations such as boards of educational institutions and benevolent organizations. This not only contributes to the vitality of the community, but keeps judges connected as well with the community they serve.

I want to thank all of those who contributed to the preparation of this report. There are many people who have provided information and compiled statistics. At the risk of excluding someone, I wish to acknowledge the assistance of Irene Hamilton, A.D.M. of the Courts Division; Lavonne Ross, A/Executive Director of Judicial Services; Karen Fulham, Executive Assistant to the Chief Justices & Chief Judge; and Ramona Carter, Administrative Assistant to the Chief Judge, for all their help in preparing this report.

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APPENDIX

A

JUDGES OF THE PROVINCIAL COURT

JUDGE	DATE OF APPOINTMENT	COURT CENTRE
The Honourable Chief Judge Raymond E. Wyant	May 20, 1998 (Judge); July 10, 2002 (Chief Judge)	Winnipeg
The Honourable Associate Chief Judge Brian D. Giesbrecht	August 25, 1976	Brandon
The Honourable Associate Chief Judge Bruce H. Miller	December 21, 1994 (Judge) March 15, 1995 (Associate Chief Judge) October 24, 2001 – July 10, 2002 (Acting Chief Judge)	Winnipeg
The Honourable Associate Chief Judge Mary Kate Harvie	July 26, 2000 (Judge) September 18, 2002 (Associate Chief Judge)	Winnipeg
The Honourable Judge Robert L. Kopstein	September 15, 1971	Winnipeg
The Honourable Judge Samuel Minuk	July 31, 1972	Winnipeg
The Honourable Judge Howard Collerman	July 1, 1975	Winnipeg
The Honourable Judge Charles N. Rubin	July 1, 1975	Winnipeg
The Honourabie Judge Theodore J. Lismer	January 17, 1977	Winnipeg
The Honourable Judge Ronald J. Meyers	November 1, 1977	Winnipeg
The Honourable Judge Arnold J. Conner	July 1, 1978	Winnipeg
The Honourable Judge Marvin F. Garfinkel	December 5, 1979	Winnipeg

JUDGE	DATE OF APPOINTMENT	COURT CENTRE
The Honourable Judge Charles K. Newcombe	February 1, 1980	Winnipeg
The Honourable Judge Wesley H. Swail	January 1, 1981	Winnipeg
The Honourable Judge Murray W. Howell	August 1, 1985	Winnipeg
The Honourable Judge Kenneth B. Peters	January 28, 1987	Dauphin
The Honourable Judge Richard W. Thompson	January 28, 1987	Dauphin
The Honourable Judge Brian M. Corrin	March 4, 1988	Winnipeg
The Honourable Judge Susan V. Devine	March 4, 1988	Winnipeg
The Honourable Judge Linda M. Giesbrecht	March 4, 1988	Winnipeg
The Honourable Judge John P. Guy	May 15, 1989	Winnipeg
The Honourable Judge Judith M. Webster	May 15, 1989 (Judge) December 15, 1993 to October 24, 2001 (Chief Judge)	Winnipeg
The Honourable Judge Roger J.C. Gregoire	January 16,1991	The Pas
The Honourable Judge Richard F. Chartier	August 16, 1993	Winnipeg
The Honourable Judge Krystyna Tarwid	July 6, 1994	Brandon
The Honourable Judge Brian G. Colli	September 21, 1994	Thompson
The Honourable Judge Robert G. Cummings	September 28, 1994	Portage la Prairie
The Honourable Judge Heather R. Pullan	December 21, 1994	Winnipeg
The Honourable Judge Brent D. Stewart	April 15,1998	The Pas

JUDGE	DATE OF APPOINTMENT	COURT CENTRE
The Honourable Judge A. Catherine Everett	May 20, 1998	Winnipeg
The Honourable Judge Glenn D. Joyal	November 25, 1998	Winnipeg
The Honourable Judge Lynn A. Stannard	August 4, 1999	Winnipeg
The Honourable Judge Sidney B. Lerner	August 4, 1999	Winnipeg
The Honourable Judge Marva J. Smith	October 27, 1999	Winnipeg
The Honourable Judge Judith A. Elliott	July 26, 2000	Winnipeg
The Honourable Judge Kathlyn Mary A. Curtis	February 28, 2001	Winnipeg
The Honourable Judge John Combs	March 26, 2003	Brandon
The Honourable Judge Murray Thompson	March 26, 2003	Thompson
The Honourable Judge Fred Sandhu	April 30, 2003	Winnipeg
The Honourable Judge Timothy Preston	April 30, 2003	Winnipeg

APPENDIX

B

Court Utilization: Domestic Violence Trials in Winnipeg

(Please see page 32 for a guide to interpreting court utilization statistics.)

April 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
403	40	21	1.7
412	19	13	1

May 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
403	38	23	1.4
412	27	20	1.7

June 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
403	42	28	2.1
412	34	14	1.6

July 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
403	44	26	1.4
412	25	15	1.2

August 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
403	40	27	2.1
412	8	4	1.3

September 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
403	38	23	1.6
412	30	11	1.5

APPENDIX

B

Page 2 of Appendix "B" - Domestic Violence Trials

October 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
403	44	23	1.4
412	22	17	1.4

November 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
403	38	22	1.9
412	18	10	1.5

December 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
403	37	20	1.5
412	23	15	1.3

January 2004

Courtroom	Available ½ days	½ days used	Average hours per ½ day
403	42	24	1.7
412	22	12	1.2

February 2004

Courtroom	Available ½ days	½ days used	Average hours per ½ day
403	40	23	1.5
412	10	6	1.2

March 2004

Courtroom	Available ½ days	½ days used	Average hours per ½ day
403	46	26	1.5
412	18	12	1.2

APPENDIX

C

Court Utilization: Non Domestic Violence Trials in Winnipeg

(Please see page 32 for a guide to interpreting court utilization statistics.)

April 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
404	40	25	1.4
405	40	17	1.9
406	40	20	1.7
407	40	24	1.7

May 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
404	38	22	1.6
405	38	24	1.4
406	38	22	1.8
407	38	24	1.6

June 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
404	42	21	1.8
405	42	20	1.8
406	42	21	1.4
407	42	17	1.7

July 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
404	44	29	1.5
405	44	27	1.8
406	44	23	2.3
407	44	3	2.3

August 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
404	40	23	1.9
405	40	25	1.6
406	40	16	1.7
407	40	14	1.8

September 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
404	38	24	1.7
405	38	17	1.2
406	38	21	1.8
407	38	17	1.6

APPENDIX

C

Page 2 of Appendix "C" – Non-Domestic Violence Trials

October 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
404	44	30	1.7
405	44	28	2.0
406	44	20	1.6
407	44	16	1.4

November 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
404	38	24	1.3
405	38	15	1.9
406	38	28	1.8
407	38	23	1.5

December 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
404	37	23	1.6
405	37	23	1.8
406	37	17	2.0
407	37	20	1.8

January 2004

Courtroom	Available ½ days	½ days used	Average hours per ½ day
404	42	23	1.3
405	42	15	1.6
406	42	24	1.7
407	42	14	1.2

February 2004

Courtroom	Available ½ days	½ days used	Average hours per ½ day
404	40	23	1.5
405	40	17	1.1
406	40	23	2.1
407	40	14	1.7

March 2004

Courtroom	Available ½ days	½ days used	Average hours per ½ day
404	46	25	1.4
405	46	21	1.8
406	46	32	2.0
407	46	18	1.8

APPENDIX

D

Court Utilization: Youth Trials in Winnipeg

(Please see page 32 for a guide to interpreting court utilization statistics.)

April 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
306	40	23	1.4
307	14	10	1.4

May 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
306	38	21	1.3
307	12	7	1.3

June 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
306	42	24	1.4
307	22	14	1.6

July 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
306	44	23	1.3
307	24	0	0

August 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
306	40	17	1.4
307	10	8	2.2

September 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
306	38	22	1.4
307	18	9	1.1

APPENDIX

D

Page 2 of Appendix "D" – Youth Trials

October 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
306	44	27	1.5
307	26	19	1.9

November 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
306	38	17	1.4
307	16	5	1.6

December 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
306	37	20	1.4
307	4	4	0.9

January 2004

Courtroom	Available ½ days	½ days used	Average hours per ½ day
306	42	28	1.7
307	16	12	2.1

February 2004

Courtroom	Available ½ days	½ days used	Average hours per ½ day
306	40	19	1.6
307	22	22	1.9

March 2004

Courtroom	Available ½ days	½ days used	Average hours per ½ day
306	46	24	1.1
307	16	13	1.6

APPENDIX

E

Court Utilization: Federal and Special Trials in Winnipeg

(Please see page 32 for a guide to interpreting court utilization statistics.)

April 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
409	40	28	1.6
411	18	11	1.8

May 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
409	38	24	2.1
411	20	12	1.8

June 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
409	42	24	1.8
411	26	18	1.9

July 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
409	40	25	2.0
411	4	3	2.0

August 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
409	40	24	1.4
411	2	2	3.4

September 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
409	38	22	1.3
411	18	11	1.4

APPENDIX

E

Page 2 of Appendix "E" – Federal and Special Trials

October 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
409	44	26	1.8
411	18	10	1.4

November 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
409	38	21	2.2
411	24	16	1.6

December 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
409	37	20	2.2
411	12	6	0.9

January 2004

Courtroom	Available ½ days	½ days used	Average hours per ½ day
409	42	23	2.1
411	10	8	1.6

February 2004

Courtroom	Available ½ days	½ days used	Average hours per ½ day
409	40	23	1.9
411	20	10	1.2

March 2004

Courtroom	Available ½ days	½ days used	Average hours per ½ day
409	46	25	1.9
411	16	10	2.1

APPENDIX

F

Court Utilization: Youth, Bail, Disposition and Screening Dockets

(Please see page 32 for a guide to interpreting court utilization statistics.)

April 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
MYC	32	32	2.3
301/303	22	18	1.8

May 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
MYC	33	32	2.1
301/303	20	16	1.7

June 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
MYC	34	34	2.0
301/303	21	18	1.8

July 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
MYC	36	36	1.9
301/303	23	11	1.7

August 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
MYC	32	32	1.9
301/303	19	12	1.6

September 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
MYC	33	32	1.7
301/303	21	18	1.5

APPENDIX

F

Page 2 of Appendix "F" – Youth, Bail, Disposition and Screening Dockets

October 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
MYC	35	35	1.7
301/303	22	20	1.6

November 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
MYC	31	31	2.0
301/303	19	18	1.8

December 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
MYC	33	32	1.3
301/303	21	14	2.0

January 2004

Courtroom	Available ½ days	½ days used	Average hours per ½ day
MYC	34	34	1.6
301/303	20	16	1.6

February 2004

Courtroom	Available ½ days	½ days used	Average hours per ½ day
MYC	32	32	1.6
301/303	20	19	1.7

March 2004

Courtroom	Available ½ days	½ days used	Average hours per ½ day
MYC	37	37	1.4
301/303	24	21	1.7

APPENDIX

G

Court Utilization: Bail Courts in Winnipeg

(Please see page 32 for a guide to interpreting court utilization statistics.)

April 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
304	41	32	2.3
305	25	23	2.8

May 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
304	42	32	2.5
305	25	22	2.7

June 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
304	42	34	2.4
305	25	23	2.5

July 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
304	44	35	2.6
305	26	24	2.5

August 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
304	40	36	2.3
305	24	23	2.5

September 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
304	42	32	2.3
305	26	24	2.5

October 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
304	46	31	2.4
305	27	25	2.3

APPENDIX

G

Page 2 of Appendix "G" –
Bail Courts in Winnipeg

November 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
304	38	30	2.8
305	22	20	2.8

December 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
304	41	27	2.5
305	35	27	2.7

January 2004

Courtroom	Available ½ days	½ days used	Average hours per ½ day
304	42	26	2.4
305	33	25	2.3

February 2004

Courtroom	Available ½ days	½ days used	Average hours per ½ day
304	40	25	2.3
305	32	26	2.5

March 2004

Courtroom	Available ½ days	½ days used	Average hours per ½ day
304	46	27	2.5
305	38	33	2.4

APPENDIX

H

Court Utilization: Domestic Violence Screening and Disposition Courts

(Please see page 32 for a guide to interpreting court utilization statistics.)

April 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
302	17	15	2.1
303	4	4	1.4
402	9	6	1.8

May 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
302	16	12	2.1
303	4	3	2.5
402	9	8	2.2

June 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
302	17	13	1.9
303	4	4	1.8
402	8	8	2.3

July 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
302	18	16	2.1
303	5	5	2.4
402	2	1	3.0

August 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
302	15	14	1.6
303	4	4	2.4
402	4	2	2

September 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
302	17	14	1.8
303	3	2	1.6
402	8	8	2.0

APPENDIX

H

Page 2 of Appendix H:
Domestic Violence Screening and Disposition Courts

October 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
302	17	15	1.9
303	5	5	2.0
402	9	8	2.2

November 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
302	15	12	2.1
303	4	4	1.8
402	7	7	2.0

December 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
401	7	5	2.8
402	18	12	2.2

January 2004

Courtroom	Available ½ days	½ days used	Average hours per ½ day
401	8	8	1.8
402	20	20	2.4

February 2004

Courtroom	Available ½ days	½ days used	Average hours per ½ day
401	8	8	2.2
402	20	5	2.5

March 2004

Courtroom	Available ½ days	½ days used	Average hours per ½ day
401	9	9	1.9
402	23	19	1.6

APPENDIX

I

Court Utilization: Adult Non-Domestic Violence Screening and Disposition

(Please see page 32 for a guide to interpreting court utilization statistics.)

April 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
302	17	17	2.5
305	11	11	2.3
401	28	27	1.9

May 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
302	16	16	2.6
305	12	12	1.8
401	24	23	2.3

June 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
302	17	17	2.6
305	13	13	2.2
401	24	21	2.1

July 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
302	18	18	2.3
305	13	13	2.4
401	28	15	1.7

August 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
302	15	15	2.4
305	12	11	2.5
401	24	23	2.0

September 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
302	17	16	2.6
305	12	11	2.9
401	24	24	2.1

APPENDIX

I

Page 2 of Appendix "I"
Adult Non-Domestic Violence Screening & Disposition Courts

October 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
302	17	17	2.4
305	13	13	2.2
401	28	28	2.0

November 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
302	15	15	2.6
305	12	12	2.4
401	22	22	2.3

December 2003

Courtroom	Available ½ days	½ days used	Average hours per ½ day
302	31	28	2.0
305	6	3	1.8
401	18	16	1.9

January 2004

Courtroom	Available ½ days	½ days used	Average hours per ½ day
302	28	28	3.4
305	9	7	1.8
401	20	20	2.2

February 2004

Courtroom	Available ½ days	½ days used	Average hours per ½ day
302	28	27	2.4
305	8	3	1.3
401	20	19	2.3

March 2004

Courtroom	Available ½ days	½ days used	Average hours per ½ day
302	34	28	2.3
305	9	8	2.2
401	24	20	2.5

APPENDIX

J

Court Locations in Manitoba

The Provincial Court of Manitoba has regular court sittings in Winnipeg, Brandon, Thompson, The Pas, Dauphin, and Portage la Prairie. For all other Manitoba communities listed below, the court sits generally on a monthly basis, in some cases convening court in a community facility.

ALTONA (Winnipeg Circuit)
Rhineland Pioneer Centre
227 - 10th Avenue Northwest

AMARANTH (Portage la Prairie Circuit)
Memorial Hall
205 Kinosota Road North

ARBORG (Winnipeg Circuit)
Community Hall

ASHERN (Winnipeg Circuit)
Centennial Hall

BEAUSEJOUR (Selkirk Circuit)
Court House
20 - 1st Street

BERENS RIVER (Selkirk Circuit)
Community Hall

BLOODVEIN (Selkirk Circuit)
Band Hall

BOISSEVAIN (Brandon Circuit)
Civic Complex
420 South Railway Street

BRANDON
Court House
1104 Princess Avenue

BROCHET (Thompson Circuit)
Community Hall

CARMAN (Morden Circuit)
Ladies Auxiliary Hall
Royal Canadian Legion
28 – 1st Street

APPENDIX

J

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Court Locations in Manitoba

CHURCHILL (Thompson Circuit)
Legion Hall
23 Hudson Square

CRANBERRY PORTAGE (The Pas Circuit)
Legion Hall

CROSS LAKE (Thompson Circuit)
Community Hall

DAUPHIN
Court House
114 River Avenue West

EASTERVILLE (The Pas Circuit)
Community Hall

EMERSON (Winnipeg Circuit)
Town Hall
104 Church Street

FISHER BRANCH (Winnipeg Circuit)
Community Centre Hall

FLIN FLON
Court House
104-143 Main Street

GARDEN HILL (Selkirk Circuit)
Band Hall

GILLAM (Thompson Circuit)
Recreational Centre

GIMLI (Winnipeg Circuit)
Gimli School
64 - 2nd Avenue

GOD'S LAKE NARROWS (Thompson Circuit)
Community Hall

GOD'S RIVER (Thompson Circuit)
Amos Okemow School

GRAND RAPIDS (The Pas Circuit)
St. Alexander Roman Catholic Mission

APPENDIX

J

KILLARNEY (Brandon Circuit)
Community Centre
300 Broadway

LAC BROCHET (Selkirk Circuit)
Band Hall

LAC DU BONNET (Selkirk Circuit)
Legion Hall
45 McArthur Avenue

LEAF RAPIDS (Thompson Circuit)
Town Council Chamber

LITTLE GRAND RAPIDS (Selkirk Circuit)
Band Hall

LUNDAR (Winnipeg Circuit)
Community Hall

LYNN LAKE (Thompson Circuit)
Legion Hall

MINNEDOSA
Court House
70 - 3rd Avenue Southwest

MOOSE LAKE (The Pas Circuit)
Community Hall

MORDEN
Court House
301 Wardrop Street

MORRIS (Winnipeg Circuit)
Morris Legion Hall

NEEPAWA (Minnedosa Circuit)
Municipal Offices
282 Hamilton Street

NELSON HOUSE (Thompson Circuit)
Wellness Centre

NORWAY HOUSE (Thompson Circuit)
Kensew Sip First Nation Multiplex

APPENDIX

J

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Court Locations in Manitoba

OXFORD HOUSE (Thompson Circuit)
Band Hall

PAUINGASSI (Selkirk Circuit)
Band Hall

POPLAR RIVER (Selkirk Circuit)
Band Hall

PORTAGE LA PRAIRIE
Court House
B28- 25 Tupper Street North

POWERVIEW (Pine Falls) (Selkirk Circuit)
Powerview Arena
22 Vincent Street

PUKATAWAGAN (The Pas Circuit)
Mathias Colomb Cree Nation Youth Centre

ROBLIN (Dauphin Circuit)
Provincial Building
117 - 2nd Avenue North

ROSSBURN (Minnedosa Circuit)
Community Hall
Main Street

RUSSELL (Minnedosa Circuit)
The Russell & District Community Centre
106 Shell River Avenue

SELKIRK
Court Complex
101 - 235 Eaton Avenue

SHAMATTAWA (Thompson Circuit)
Band Hall

SNOW LAKE (The Pas Circuit)
BPO Elks Lodge Hall
7 Wekusko Drive

SOUTH INDIAN LAKE (Thompson Circuit)
Fred Moore & Jimmy Spence Arena

APPENDIX

J

SPLIT LAKE (Thompson Circuit)
Band Hall

STEINBACH
Provincial Building
284 Reimer Avenue

ST. BONIFACE
Court House
227 Provencher Blvd.
Winnipeg, Manitoba

ST. MARTIN (GYPSUMVILLE) (Winnipeg Circuit)
Community Hall

STE. THERESA POINT (Selkirk Circuit)

STONEWALL (Winnipeg Circuit)
IOOG Hall

SWAN RIVER
Provincial Building
201 - 4th Avenue South

TEULON (Winnipeg Circuit)
Rockwood Centennial Centre

THE PAS
Court House
300 - 3rd Street East

THOMPSON
Provincial Building
59 Elizabeth Drive

VIRDEN
Municipal Complex
232 Wellington Street West

WAYWAYSEECAPPO (Minnedosa Circuit)
Band Hall

WINNIPEG
Law Courts Building
408 York Avenue

WINNIPEG (SUMMARY CONVICTIONS)
1st Floor - 373 Broadway

APPENDIX

K

Court Utilization:
Brandon & Brandon Circuits

	Brandon	Boissevain	Killarney	Minnedosa	Neepawa	Rossburn	Russell	Virden	Wayway-seecappo
April									
Sittings	28	1	1	3	1	2	1	3	0
Hours	87.25	4.25	4	9.25	1.5	5.75	2	10.25	0
May									
Sittings	25	1	1	3	0	3	1	2	1
Hours	84	1.75	1.75	8	0	7.25	1.5	2.75	5
June									
Sittings	37	1	2	3	1	1	1	2	1
Hours	101.75	0.75	5	8.5	2	2	2.5	4.25	2.75
July									
Sittings	20	0	1	2	1	1	0	2	1
Hours	68.75	0	1.75	5.5	2.5	2.75	0	7	2.75
August									
Sittings	28	1	0	2	0	0	1	3	1
Hours	83.5	1.5	0	7.5	0	0	3	9.75	4
Septem-ber									
Sittings	33	1	1	3	1	1	1	3	1
Hours	115.5	1	2.25	10.5	5	1.5	1.5	10.25	3.75
October									
Sittings	40	0	1	4	1	1	3	3	1
Hours	108.5	0	1.75	9.75	3.25	2.75	8.25	10.25	4.5
Novem-ber									
Sittings	32	1	1	4	1	1	1	3	1
Hours	99.75	1.5	2.75	10.25	2.25	1.75	2.5	8.75	3
Decem-ber									
Sittings	32	1	0	2	2	0	1	2	1
Hours	88.75	1	0	4.75	7	0	2	4.5	3.5
January									
Sittings	25	1	1	3	1	1	2	3	1
Hours	65	2	2	7.75	3	1	7	5	3
February									
Sittings	25	1	1	3	1	1	1	3	1
Hours	77.25	2	2	4.5	1	1.25	2.5	6.25	1.5
March									
Sittings	35	0	1	3	1	0	1	3	1
Hours	86.25	0	3	4.5	1.5	0	0.75	6.25	3.75
Average Hours per sitting	2.96	1.75	2.39	3.08	2.64	2.00	2.39	2.66	3.41
Average # sittings per month	30.00	0.75	0.92	2.92	0.92	1.00	1.17	2.67	0.92

Brandon to Boissevain and return:	2 hours
Brandon to Killarney and return:	2.6 hours
Brandon to Minnedosa and return:	1.2 hours
Brandon to Neepawa and return:	1.7 hours
Brandon to Rossburn and return:	3.2 hours
Brandon to Russell and return:	4.4 hours
Brandon to Virden and return:	1.9 hours
Brandon to Waywayseecappo and return	3.6 hours

APPENDIX

L

Court Utilization: Dauphin & Dauphin Circuits

	Dauphin	Roblin	Swan River
April			
Sittings	17	4	5
Hours	35.5	6	13.5
May			
Sittings	17	2	3
Hours	31.25	6.5	11.5
June			
Sittings	20	2	4
Hours	37.5	3.25	12.75
July			
Sittings	17	3	2
Hours	33	2	9
August			
Sittings	19	2	3
Hours	55	4.5	7.5
September			
Sittings	14	2	5
Hours	33.75	2.25	17
October			
Sittings	19	2	3
Hours	42.5	4	5.25
November			
Sittings	16	2	5
Hours	38	3	9.75
December			
Sittings	13	2	3
Hours	35	2.75	13.25
January			
Sittings	16	2	3
Hours	31.75	1.5	8.75
February			
Sittings	13	2	4
Hours	29	2.25	9.75
March			
Sittings	13	2	6
Hours	26.25	1.75	9.75
Average Hours per sitting	2.21	1.36	2.78
Average # sittings per month	16.17	2.25	3.83

Dauphin to Roblin and return: 2.4 hours
Dauphin to Swan River and return: 4.3 hours

APPENDIX

M

Court Utilization:
Portage & Portage Circuits

	Portage	Amaranth
April		
Sittings	17	4
Hours	52.5	8
May		
Sittings	12	3
Hours	34.75	7
June		
Sittings	14	3
Hours	47	7
July		
Sittings	13	3
Hours	44.75	11
August		
Sittings	10	3
Hours	38	6.25
September		
Sittings	11	3
Hours	42	8.75
October		
Sittings	19	3
Hours	48.5	7.5
November		
Sittings	16	2
Hours	39.5	7.75
December		
Sittings	15	3
Hours	39	10
January		
Sittings	13	2
Hours	34.25	4.25
February		
Sittings	15	3
Hours	27	9.5
March		
Sittings	15	3
Hours	35	7.5
Average Hours per sitting	2.84	2.70
Average # sittings per month	14.17	2.92

Portage la Prairie to Amaranth and return: 4.4 hours

APPENDIX

N

Court Utilization: The Pas & The Pas Circuits

	The Pas	Cranberry Portage	Easterville	Flin Flon	Grand Rapids	Moose Lake	Pukatawa-gan	Snow Lake
April								
Sittings	14	2	1	3	1	4	2	0
Hours	52	4	3.5	7.25	3	18	2	0
May								
Sittings	12	1	1	2	1	1	2	0
Hours	53.5	2.5	3.5	3.75	5	2.5	9.5	0
June								
Sittings	18	2	1	2	1	2	2	0
Hours	74.5	1.5	5.5	7.75	1.5	7	13	0
July								
Sittings	20	0	2	2	1	1	2	0
Hours	63	0	13.5	3	6	5	9.5	0
August								
Sittings	20	1	1	2	1	1	1	0
Hours	57	2.5	4.5	7.25	5.5	2.5	6	0
September								
Sittings	12	0	1	2	1	2	2	1
Hours	50.5	0	3	3.5	4.5	6	2	2.5
October								
Sittings	15	1	2	1	2	4	3	0
Hours	49.5	2	5	3	5.5	15.5	13.5	0
November								
Sittings	16	2	1	3	1	2	3	0
Hours	57	3	4	8.5	2.5	4.5	8.5	0
December								
Sittings	11	1	1	1	1	1	1	0
Hours	34	3	1.5	1.75	2	4	4.5	0
January								
Sittings	17	1	2	9*	2	1	2	1
Hours	62	1	2.5	36.75	2.5	3.5	5	1.5
February								
Sittings	16	1	3	7*	1	1	3	0
Hours	57	0.5	7.5	23.25	0.5	2	15	0
March								
Sittings	16	0	2	2	3	1	1	0
Hours	58	0	7	3	9	2.5	0.5	0
Average Hrs. per sitting	3.57	1.88	3.39	3.02	2.97	3.48	3.29	2.00
Average # of sittings per month	15.58	1.00	1.50	3.00	1.33	1.75	2.00	0.17

The Pas to Cranberry Portage and return	2.0 hours
The Pas to Easterville and return	4.5 hours
The Pas to Flin Flon and return	2.3 hours
The Pas to Grand Rapids and return	5.5 hours
The Pas to Moose Lake and return	3.0 hours
The Pas to Pukatawagan and return	2.5 hours
The Pas to Snow Lake and return	4.5 hours

*increase in number of sittings due to inquest hearings

APPENDIX

O

Court Utilization:
Thompson & Thompson Circuits

	Thompson	Brochet	Churchill	Cross Lake	Gillam	God's Lake Narrows	God's River	Lac Brochet
April								
Sittings	18	0	0	1	0	1	0	0
Hours	66.75	0	0	4.5	0	2.25	0	0
May								
Sittings	18	0	0	1	0	1	0	0
Hours	60.75	0	0	5	0	1.75	0	0
June								
Sittings	22	1	1	1	1	1	1	0
Hours	79.75	0.75	3.5	3.5	1.5	2.75	2	0
July								
Sittings	11	0	0	2	1	0	0	1
Hours	40.75	0	0	3	3	0	0	3
August								
Sittings	14	0	1	2	0	1	0	0
Hours	66.25	0	1.75	3.5	0	4	0	0
September								
Sittings	15	0	0	1	1	2	1	0
Hours	58.25	0	0	0.75	0.75	1.75	3.5	0
October								
Sittings	20	0	1	1	1	1	1	0
Hours	72	0	3.25	3.75	2.5	2.25	1	0
November								
Sittings	20	1	0	2	1	3	1	0
Hours	76.75	1.5	0	3	2.75	6.75	1.25	0
December								
Sittings	15	1	0	2	0	1	1	0
Hours	56.25	0.75	0	3.5	0	3.25	1.75	0
January								
Sittings	21	0	0	0	0	3	0	0
Hours	73.75	0	0	0	0	9.75	0	0
February								
Sittings	22	0	0	2	1	0	0	1
Hours	75	0	0	6	2.25	0	0	2
March								
Sittings	17	0	2	1	1	1	0	0
Hours	55	0	3	4.5	4	0.75	0	0
Average Hrs. per sitting	3.66	1.00	2.30	2.56	2.39	2.35	1.55	2.5
Average # sittings per month	17.75	0.25	0.42	1.33	0.58	1.25	0.42	0.17

Thompson to Brochet & return:	2.5 hours
Thompson to Churchill & return:	2.5 hours
Thompson to Cross Lake & return:	1 hour
Thompson to Gillam & return:	1.8 hours
Thompson to God's Lake Narrows & return:	1.8 hours
Thompson to God's River & return:	3 hours
Thompson to Lac Brochet & return:	3 hours

APPENDIX

O

Court Utilization: Thompson & Thompson Circuits

	Leaf Rapids	Lynn Lake	Nelson House	Norway House	Oxford House	Shamat-tawa	South Indian Lake	Split Lake
April								
Sittings	1	1	0	1	0	0	1	0
Hours	1.25	2.25	0	3.75	0	0	3.25	0
May								
Sittings	2	1	1	4	1	1	1	0
Hours	1.75	14.5	0.50	7.75	2.25	3.25	1	0
June								
Sittings	1	1	2	2	2	0	0	1
Hours	1.5	1.5	2.25	2.75	1.25	0	0	2
July								
Sittings	1	0	1	0	1	1	1	0
Hours	1.25	0	2.5	0	1	1.5	2.25	0
August								
Sittings	1	0	1	2	1	1	4	0
Hours	1.25	0	0.75	4	1	1.25	9.75	0
September								
Sittings	1	1	0	1	0	1	0	1
Hours	0.75	2.25	0	4.25	0	1	0	4
October								
Sittings	1	0	1	3	0	1	1	2
Hours	1.25	0	6.5	10.25	0	3	3	3.75
November								
Sittings	0	1	0	6	2	2	1	1
Hours	0	3.5	0	28.75	5.5	7.25	2	1.25
December								
Sittings	0	1	1	2	1	1	1	0
Hours	0	1.75	1	5	2	5	1	0
January								
Sittings	1	0	2	4	1	0	0	1
Hours	2.25	0	1.5	7.25	3	0	0	1.75
February								
Sittings	0	1	1	2	0	0	0	1
Hours	0	1.75	1	5	0	0	0	2
March								
Sittings	0	1	1	3	2	1	0	0
Hours	0	0.75	2.25	5.75	3.5	0.25	0	0
Average Hrs. per sitting	1.25	3.53	1.66	2.82	1.77	2.33	2.23	2.11
Average # sittings per month	0.75	0.67	0.92	2.5	0.92	0.75	0.83	0.58

Thompson to Leaf Rapids and return	1 hour
Thompson to Lynn Lake and return	1.5 hours
Thompson to Nelson House and return	2.0 hours
Thompson to Norway House and return	1.2 hours
Thompson to Oxford House and return	1.1 hours
Thompson to Shamattawa and return	2.5 hours
Thompson to South Indian Lake and return	1 hour
Thompson to Split Lake and return	2.6 hours

APPENDIX

P

Court Utilization:
Winnipeg & Winnipeg Circuits

	Altona	Arborg	Ashern	Beause-jour	Berens River	Bloodvein	Carman	Emerson
April								
Sittings	1	1	4	4	0	1	0	5
Hours	3.5	2.5	6.75	10	0	3	0	15.5
May								
Sittings	1	1	2	3	1	1	1	3
Hours	4.5	2.75	4.75	9	1.5	3	2.25	9
June								
Sittings	1	1	1	3	1	2	0	3
Hours	3	0.5	3	10	3	7	0	11.5
July								
Sittings	1	2	3	3	0	1	1	4
Hours	2.75	5.25	4.75	7	0	8.5	3.75	5
August								
Sittings	1	1	2	3	1	1	0	2
Hours	3.5	3	5	9.5	2	1.5	0	6.5
September								
Sittings	1	1	5	4	1	1	1	4
Hours	3.5	5	11.25	11.5	2.5	1	3	8
October								
Sittings	1	1	1	3	0	0	1	2
Hours	2.25	2	3.5	6.5	0	0	0.5	7
November								
Sittings	1	1	3	3	0	3	1	3
Hours	2.75	2.5	7.25	5	0	7.25	1.25	10
December								
Sittings	0	0	1	3	1	1	0	4
Hours	0	0	2.5	8	4	2.75	0	18
January								
Sittings	0	1	3	3	0	1	1	4
Hours	0	1.5	5.75	8	0	5	1.5	7.5
February								
Sittings	0	1	3	3	1	1	0	4
Hours	0	2.5	6.75	6	2	2.75	0	6.75
March								
Sittings	1	1	4	4	0	1	1	3
Hours	3	1.5	12	11.25	0	2.5	2.25	9.5
Average Hours per sitting	3.19	2.42	2.29	2.61	2.50	3.16	2.07	2.73
Average # sittings per month	0.75	1.00	2.67	3.25	0.50	1.17	0.58	3.42

Winnipeg to Altona and return	2.8 hours
Winnipeg to Arborg and return	3.0 hours
Winnipeg to Ashern and return	4.6 hours
Winnipeg to Beausejour and return	1.5 hours
Winnipeg to Berens River and return	2.0 hours
Winnipeg to Bloodvein and return	1.5 hours
Winnipeg to Carman and return	2.0 hours
Winnipeg to Emerson and return	2.6 hours

APPENDIX

P

Court Utilization: Winnipeg & Winnipeg Circuits

	Fisher Branch	Garden Hill	Gimli	Lac du Bonnet	Little Grand Rapids	Lundar	Morden	Morris
April								
Sittings	2	0	2	1	2	1	7	3
Hours	8.25	0	5	3	7.5	2.75	23.25	5.5
May								
Sittings	2	0	1	3	0	2	2	2
Hours	4	0	2	6.5	0	4	7.5	1.75
June								
Sittings	2	2	2	1	0	1	3	2
Hours	4.25	6	5.5	3	0	2	8.75	2
July								
Sittings	2	2	2	1	1	2	1	2
Hours	10.5	3.5	8.5	7	6.5	3.25	2.5	3.5
August								
Sittings	2	2	3	1	1	1	2	2
Hours	4.5	2.5	8.25	2	7.25	3.5	6.5	3.5
September								
Sittings	4	2	2	2	0	1	3	1
Hours	9.5	3.75	3.5	8.5	0	2	9	3
October								
Sittings	2	2	2	1	2	5	5	3
Hours	3.25	4.5	10	2	11.5	8.5	20.25	8.75
November								
Sittings	2	0	1	1	1	1	2	1
Hours	6.5	0	3	2.5	4.5	5	10.75	4.5
December								
Sittings	2	1	2	1	0	1	3	2
Hours	4.25	5	4	3.5	0	0.75	11.75	4.5
January								
Sittings	2	2	2	1	1	2	5	2
Hours	1.5	7	4	2.25	4.5	3	12.25	4.5
February								
Sittings	2	2	2	1	0	3	4	2
Hours	5	5.5	8	2	0	9	25.25	2
March								
Sittings	2	1	3	1	3	1	2	1
Hours	7.25	3	9.5	3.5	14	3	8	0.5
Average Hours per sitting	2.64	2.55	2.96	2.86	5.07	2.23	3.74	1.91
Average # sittings per month	2.17	1.33	2.00	1.33	0.97	1.75	3.25	1.92

Winnipeg to Fisher Branch and return	4.0 hours
Winnipeg to Garden Hill and return	3.4 hours
Winnipeg to Gimli and return	2.4 hours
Winnipeg to Lac du Bonnet and return	2.7 hours
Winnipeg to Little Grand Rapids and return	2.5 hours
Winnipeg to Lundar and return	3.0 hours
Winnipeg to Morden and return	3.1 hours
Winnipeg to Morris and return	1.7 hours

APPENDIX

P

Court Utilization:
Winnipeg & Winnipeg Circuits

	Pauingassi	Poplar River	Powerview	Selkirk	Steinbach	St. Martin	St. Theresa Point	Stonewall	Teulon
April									
Sittings	1	1	6	8	10	2	0	1	1
Hours	3.75	3.5	13.25	21	15.25	12	0	4.5	3.5
May									
Sittings	1	0	6	8	8	2	0	1	1
Hours	3.25	0	9.75	20.25	16.75	10.75	0	2	3.5
June									
Sittings	0	0	7	8	9	2	1	3	1
Hours	0	0	19.75	22.5	35.75	13	5.5	12.25	2
July									
Sittings	1	1	6	8	10	2	0	1	1
Hours	2.5	7	18.5	16.5	23	10	0	3.5	3.5
August									
Sittings	2	0	5	10	10	2	0	2	1
Hours	5.5	0	12.75	22.5	28.25	9.75	0	4	2
September									
Sittings	0	0	6	8	6	2	2	2	1
Hours	0	0	19.75	14.25	31.5	12	8	6	2
October									
Sittings	0	1	5	14	11	2	0	2	1
Hours	0	3.5	12.75	37	34.5	8	0	5.75	3.25
November									
Sittings	0	0	6	11	9	3	0	2	1
Hours	0	0	13.5	40.5	35.75	11.5	0	4.5	2
December									
Sittings	0	0	4	7	5	2	1	2	0
Hours	0	0	11.75	18.75	13	7.5	4.5	2.75	0
January									
Sittings	1	1	8	9	10	2	2	2	1
Hours	3.5	3	22.5	21.5	27.25	8	10.5	4.5	2
February									
Sittings	0	0	5	10	7	2	0	2	1
Hours	0	0	13.5	33.25	32	9.5	0	8	0.5
March									
Sittings	0	0	5	11	8	2	0	4	1
Hours	0	0	17.5	16.75	25.25	8.5	0	10.75	2.5
Average Hours per sitting	3.08	4.25	2.68	2.54	3.09	4.82	4.75	2.85	2.43
Average # sittings per month	0.50	0.33	5.75	9.33	8.59	2.08	0.50	2.00	0.92

Winnipeg to Pauingassi and return	4.0 hours
Winnipeg to Poplar River and return	2.5 hours
Winnipeg to Powerview and return	3.3 hours
Winnipeg to Selkirk and return	1.0 hours
Winnipeg to Steinbach and return	1.6 hours
Winnipeg to St. Martin and return	6.5 hours
Winnipeg to St. Theresa Point and return	3.5 hours
Winnipeg to Stonewall and return	.9 hours
Winnipeg to Teulon and return	1.5 hours